

HOUSE BILL 2511

By Mumpower

AN ACT to amend Tennessee Code Annotated, Title 11;
Title 50, Chapter 1, Part 3; Title 68 and Title 69,
relative to anonymous sources.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 11, Chapter 1, is amended by adding the following language as a new, appropriately designated section:

Section 11-1-1__.

(a) The department of environment and conservation shall not take any investigatory or enforcement action concerning an alleged violation of this title or of any rule or order promulgated under this title solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the department from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the department of environment and conservation a signed statement setting forth:

- (1) The name of the person;
- (2) The street or mailing address of the person; and
- (3) A simple, concise, and direct statement of the facts constituting the

alleged violation. Such facts should include, if known:

- (A) The dates on which, or period of time in which, the alleged violation occurred;
- (B) The name of each alleged violator; and
- (C) The law or rule alleged to have been violated.

(c) The department of environment and conservation shall create a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 201, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 68-201-1__.

(a) The board, technical secretary, and department and any municipality, city, town or county otherwise exempted by the provisions of this chapter are prohibited from issuing a formal complaint, initiating an investigation, requesting the presence of an alleged violator at an informal meeting of the staff of the division of air pollution control, or taking any other investigatory or enforcement action concerning an alleged violation of this chapter or of any rule or order promulgated under this chapter solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the board, technical secretary, department, municipality or county from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the board, technical secretary, department, municipality, or county a signed statement setting forth:

- (1) The name of the source;
- (2) The street or mailing address of the source; and

(3) A simple, concise, and direct statement of the facts constituting the alleged violation. Such facts should include, if known:

(A) The dates on which, or period of time in which, the alleged violation occurred;

(B) The name of each alleged violator; and

(C) The law or rule alleged to have been violated.

(c) The board shall promulgate a statement form that shall be available upon request and on the department's website. A municipality or county exempted by the provisions of this chapter shall also promulgate a statement form conforming to the provisions of the section available upon request and the appropriate municipal or county website. The websites on which the statement forms are available shall also provide a mailing address and facsimile number for submission of such statement forms.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 3. Tennessee Code Annotated, Title 68, Chapter 202, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 68-202-2__.

(a) The commissioner shall not initiate an investigation, hold a show cause meeting, issue a formal complaint, or take any other investigatory or enforcement action concerning an alleged violation of this part or of any rule or order promulgated under this part solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner from taking any action deemed necessary if the public health, safety or welfare is threatened by radiation hazards.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner a signed statement setting forth:

(1) The name of the person;

(2) The street or mailing address of the person; and

(3) A simple, concise, and direct statement of the facts constituting the alleged violation. Such facts should include, if known:

(A) The dates on which, or period of time in which, the alleged violation occurred;

(B) The name of each alleged violator; and

(C) The law or rule alleged to have been violated.

(c) The commissioner shall create a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 4. Tennessee Code Annotated, Title 68, Chapter 202, Part 3, is amended by adding the following language as a new, appropriately designated section:

Section 68-202-3__.

(a) The commissioner shall not initiate an investigation, hold a show cause meeting, issue a formal complaint, or take any other investigatory or enforcement action concerning an alleged violation of this part or of any rule or order promulgated under this part solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner from taking any action deemed necessary if the public health, safety or welfare is threatened by radiation hazards.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner a signed statement setting forth:

(1) The name of the person;

(2) The street or mailing address of the person; and

(3) A simple, concise, and direct statement of the facts constituting the alleged violation. Such facts should include, if known:

(A) The dates on which, or period of time in which, the alleged violation occurred;

(B) The name of each alleged violator; and

(C) The law or rule alleged to have been violated.

(c) The commissioner shall create a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 5. Tennessee Code Annotated, Title 68, Chapter 202, Part 4, is amended by adding the following language as a new, appropriately designated section:

Section 68-202-4__.

(a) The commissioner shall not initiate an investigation, hold a show cause meeting, issue a formal complaint, or take any other investigatory or enforcement action concerning an alleged violation of this part or of any rule or order promulgated under this part solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner from taking any action deemed necessary if the public health, safety or welfare is threatened by radiation hazards.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner a signed statement setting forth:

- (1) The name of the person;
- (2) The street or mailing address of the person; and
- (3) A simple, concise, and direct statement of the facts constituting the

alleged violation. Such facts should include, if known:

- (A) The dates on which, or period of time in which, the alleged violation occurred;
- (B) The name of each alleged violator; and
- (C) The law or rule alleged to have been violated.

(c) The commissioner shall create a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 6. Tennessee Code Annotated, Title 68, Chapter 202, Part 7, is amended by adding the following language as a new, appropriately designated section:

Section 68-202-7__.

(a) The commissioner shall not initiate an investigation, hold a show cause meeting, issue a formal complaint, or take any other investigatory or enforcement action concerning an alleged violation of this part or of any rule or order promulgated under this part solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner from taking any action deemed necessary if the public health, safety or welfare is threatened by radiation hazards.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner a signed statement setting forth:

(1) The name of the person;

(2) The street or mailing address of the person; and

(3) A simple, concise, and direct statement of the facts constituting the alleged violation. Such facts should include, if known:

(A) The dates on which, or period of time in which, the alleged violation occurred;

(B) The name of each alleged violator; and

(C) The law or rule alleged to have been violated.

(c) The commissioner shall create a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 7. Tennessee Code Annotated, Title 68, Chapter 211, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 68-211-1__.

(a) The commissioner and board are prohibited from initiating an investigation, holding a show cause meeting, or taking any other investigatory or enforcement action concerning an alleged violation of this chapter or of any rule or order promulgated under this chapter solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner or board from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner or board a signed statement setting forth:

(1) The name of the person;

(2) The street or mailing address of the person; and

(3) A simple, concise, and direct statement of the facts constituting the alleged violation. Such facts should include, if known:

(A) The dates on which, or period of time in which, the alleged violation occurred;

(B) The name of each alleged violator; and

(C) The law or rule alleged to have been violated.

(c) The board shall promulgate a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 8. Tennessee Code Annotated, Title 68, Chapter 212, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 68-212-1__.

(a) The commissioner and board are prohibited from initiating an investigation, holding a show cause meeting, or taking any other investigatory or enforcement action concerning an alleged violation of this chapter or of any rule or order promulgated under this chapter solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner or board from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner or board a signed statement setting forth:

(1) The name of the person;

(2) The street or mailing address of the person; and

(3) A simple, concise, and direct statement of the facts constituting the alleged violation. Such facts should include, if known:

(A) The dates on which, or period of time in which, the alleged violation occurred;

(B) The name of each alleged violator; and

(C) The law or rule alleged to have been violated.

(c) The board shall promulgate a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address for submission of such statement form. The commissioner shall enable electronic submission of statement forms to the department.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 9. Tennessee Code Annotated, Title 68, Chapter 213, is amended by adding the following language as a new, appropriately designated section:

Section 68-213-1__.

(a) The commissioner and governing body are prohibited from initiating an investigation or taking any other investigatory or enforcement action concerning an alleged violation of this chapter or of any rule or order promulgated under this chapter solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner or governing body from taking any

action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner or governing body a signed statement setting forth:

- (1) The name of the person;
- (2) The street or mailing address of the person; and
- (3) A simple, concise, and direct statement of the facts

constituting the alleged violation. Such facts should include, if known:

- (A) The dates on which, or period of time in which, the alleged violation occurred;
- (B) The name of each alleged violator; and
- (C) The law or rule alleged to have been violated.

(c) The board shall promulgate a statement form that shall be available upon request and on the department's website. The governing body shall promulgate a statement form that shall be available upon request and on the governing body's website. The websites shall also provide a mailing address and facsimile number for submission of such statement forms.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 10. Tennessee Code Annotated, Title 68, Chapter 215, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 68-215-1__.

(a) The commissioner and board are prohibited from initiating an investigation or taking any other investigatory or enforcement action concerning an alleged violation of

this chapter or of any rule or order promulgated under this chapter solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner or board from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner or board a signed statement setting forth:

- (1) The name of the person;
- (2) The street or mailing address of the person; and
- (3) A simple, concise, and direct statement of the facts constituting the alleged violation. Such facts should include, if known:

(A) The dates on which, or period of time in which, the alleged violation occurred;

(B) The name of each alleged violator; and

(C) The law or rule alleged to have been violated.

(c) The board shall promulgate a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 11. Tennessee Code Annotated, Title 68, Chapter 217, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 68-217-1__.

(a) The commissioner and board are prohibited from initiating an investigation or taking any other investigatory or enforcement action concerning an alleged violation of this chapter or of any rule or order promulgated under this chapter solely on the basis of

information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner or board from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner or board a signed statement setting forth:

- (1) The name of the person;
- (2) The street or mailing address of the person; and
- (3) A simple, concise, and direct statement of the facts constituting the

alleged violation. Such facts should include, if known:

- (A) The dates on which, or period of time in which, the alleged violation occurred;
- (B) The name of each alleged violator; and
- (C) The law or rule alleged to have been violated.

(c) The board shall promulgate a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 12. Tennessee Code Annotated, Title 68, Chapter 221, Part 1, is amended by adding the following language as a new, appropriately designated section:

68-221-1__.

(a) The department shall not initiate an investigation, issue an order of correction, or take any other investigatory or enforcement action concerning an alleged violation of this part or of any rule or order promulgated under this part solely on the basis of information received from, or allegations made by, an anonymous source;

provided, however, that this section shall not prevent the department from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the department a signed statement setting forth:

(1) The name of the person;

(2) The street or mailing address of the person; and

(3) A simple, concise, and direct statement of the facts constituting the alleged violation. Such facts should include, if known:

(A) The dates on which, or period of time in which, the alleged violation occurred;

(B) The name of each alleged violator; and

(C) The law or rule alleged to have been violated.

(c) The department shall create a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 13. Tennessee Code Annotated, Title 68, Chapter 221, Part 4, is amended by adding the following language as a new, appropriately designated section:

68-221-4__.

(a) The commissioner and county health departments that have entered into agreements with the department pursuant to the provisions of this part shall not initiate an investigation, issue a formal complaint, or take any other investigatory or enforcement action concerning an alleged violation of this part or of any rule or order promulgated under this part solely on the basis of information received from, or allegations made by,

an anonymous source; provided, however, that this section shall not prevent the commissioner and county health departments from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner or county health department a signed statement setting forth:

- (1) The name of the person;
- (2) The street or mailing address of the person; and
- (3) A simple, concise, and direct statement of the facts constituting the alleged violation. Such facts should include, if known:

(A) The dates on which, or period of time in which, the alleged violation occurred;

(B) The name of each alleged violator; and

(C) The law or rule alleged to have been violated.

(c) The department shall create a statement form that shall be available upon request and on the department's website. Any county health department implementing this part shall promulgate a statement form that shall be available upon request and on the county health department's website. The websites shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 14. Tennessee Code Annotated, Title 68, Chapter 221, Part 7, is amended by adding the following language as a new, appropriately designated section:

Section 68-221-7__.

(a) The commissioner and board are prohibited from initiating an investigation, issuing a formal complaint, or taking any other investigatory or enforcement action concerning an alleged violation of this part or of any rule or order promulgated under this part solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner or board from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner or board a signed statement setting forth:

- (1) The name of the person;
- (2) The street or mailing address of the person; and
- (3) A simple, concise, and direct statement of the facts constituting the

alleged violation. Such facts should include, if known:

- (A) The dates on which, or period of time in which, the alleged violation occurred;
- (B) The name of each alleged violator; and
- (C) The law or rule alleged to have been violated.

(c) The board shall promulgate a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 15. Tennessee Code Annotated, Title 68, Chapter 221, Part 9, is amended by adding the following language as a new, appropriately designated section:

Section 68-221-9__.

(a) The commissioner and board are prohibited from initiating an investigation, issuing a formal complaint, or taking any other investigatory or enforcement action concerning an alleged violation of this part or of any rule or order promulgated under this part solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner or board from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner or board a signed statement setting forth:

- (1) The name of the person;
- (2) The street or mailing address of the person; and
- (3) A simple, concise, and direct statement of the facts constituting the

alleged violation. Such facts should include, if known:

- (A) The dates on which, or period of time in which, the alleged violation occurred;
- (B) The name of each alleged violator; and
- (C) The law or rule alleged to have been violated.

(c) The board shall promulgate a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 16. Tennessee Code Annotated, Title 69, Chapter 3, Part 1, is amended by adding a new, appropriately designated section:

Section 69-3-1__.

(a) The commissioner, board, and any pretreatment agency and local hearing authority are prohibited from initiating an investigation, issuing a formal complaint or stop work order, or taking any other investigatory or enforcement action concerning an alleged violation of this part or of any rule or order promulgated under this part solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner from taking any action deemed necessary in the case of imminent danger to human health and safety or in the case of an emergency as provided in Section 69-3-110(b).

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner a signed statement setting forth:

- (1) The name of the person;
- (2) The street or mailing address of the person; and
- (3) A simple, concise, and direct statement of the facts constituting the

alleged violation. Such facts should include, if known:

- (A) The dates on which, or period of time in which, the alleged violation occurred;
- (B) The name of each alleged violator; and
- (C) The law or rule alleged to have been violated.

(c) The commissioner shall create a statement form that shall be available upon request and facsimile number and on the department's website. The website shall also provide a mailing address for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 17. Tennessee Code Annotated, Title 69, Chapter 7, Part 2, is amended by adding a new, appropriately designated section:

Section 69-7-2__.

(a) The commissioner shall not take any investigatory or enforcement action concerning an alleged violation of this part or of any rule or order promulgated under this part solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner a signed statement setting forth:

- (1) The name of the person;
- (2) The street or mailing address of the person; and
- (3) A simple, concise, and direct statement of the facts constituting the

alleged violation. Such facts should include, if known:

- (A) The dates on which, or period of time in which, the alleged violation occurred;
- (B) The name of each alleged violator; and
- (C) The law or rule alleged to have been violated.

(c) The commissioner shall create a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 18. Tennessee Code Annotated, Title 69, Chapter 7, Part 3, is amended by adding the following language as a new, appropriately designated section:

69-7-3__.

(a) The commissioner shall not take any investigatory or enforcement action concerning an alleged violation of this part or of any rule or order promulgated under this part solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner or board from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner or board a signed statement setting forth:

- (1) The name of the person;
- (2) The street or mailing address of the person; and
- (3) A simple, concise, and direct statement of the facts constituting the

alleged violation. Such facts should include, if known:

- (A) The dates on which, or period of time in which, the alleged violation occurred;
- (B) The name of each alleged violator; and
- (C) The law or rule alleged to have been violated.

(c) The board shall promulgate a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 19. Tennessee Code Annotated, Title 69, Chapter 10, is amended by adding the following language as a new, appropriately designated section:

Section 69-10-1__.

(a) The commissioner, board, and any municipality and county otherwise exempted by the provisions of this chapter are prohibited from initiating an investigation, issuing a formal complaint, or taking any other investigatory or enforcement action concerning an alleged violation of this chapter or of any rule or order promulgated under this chapter solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner, board, municipality, and county from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner, board, municipality, or county a signed statement setting forth:

- (1) The name of the person;
- (2) The street or mailing address of the person; and
- (3) A simple, concise, and direct statement of the facts constituting the

alleged violation. Such facts should include, if known:

- (A) The dates on which, or period of time in which, the alleged violation occurred;
- (B) The name of each alleged violator; and
- (C) The law or rule alleged to have been violated.

(c) The board shall promulgate a statement form that shall be available upon request and on the department's website. A municipality or county exempted by the provisions of this chapter shall also promulgate a statement form conforming to the provisions of the section available upon request and the appropriate municipal or county website. The websites on which the statement forms are available shall also provide a mailing address and facsimile number for submission of such statement forms.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 20. Tennessee Code Annotated, Title 69, Chapter 11, is amended by adding the following language as a new, appropriately designated section:

Section 69-11-1__.

(a) The commissioner shall not take any investigatory or enforcement action concerning an alleged violation of this chapter or of any rule or order promulgated under this chapter solely on the basis of information received from, or allegations made by, an anonymous source; provided, however, that this section shall not prevent the commissioner from taking any action deemed necessary in the case of imminent danger to human health and safety.

(b) For purposes of this section, an "anonymous source" means a person that has not filed with the commissioner a signed statement setting forth:

(1) The name of the person;

(2) The street or mailing address of the person; and

(3) A simple, concise, and direct statement of the facts constituting the alleged violation. Such facts should include, if known:

(A) The dates on which, or period of time in which, the alleged violation occurred;

(B) The name of each alleged violator; and

(C) The law or rule alleged to have been violated.

(c) The commissioner shall create a statement form that shall be available upon request and on the department's website. The website shall also provide a mailing address and facsimile number for submission of such statement form.

(d) Knowingly submitting false information on a statement form is a Class A misdemeanor punishable only by a fine.

SECTION 21. Tennessee Code Annotated, Section 50-1-304(a), is amended by designating the current language as subdivision (1) and by adding the following language as a new subdivision (2):

(2) No employee shall be discharged or terminated solely for submitting a signed statement of facts pursuant to the provisions of this act.

SECTION 22. Tennessee Code Annotated, Section 50-1-304(d), is amended by deleting subdivision (2) in its entirety and by substituting instead the following:

(2) Any employee terminated in violation of subsection (a) who prevails in a cause of action against an employer for such violation shall be entitled to recover reasonable attorney fees and costs.

SECTION 23. The commissioner of environment and conservation may create one (1) statement form to satisfy the requirements of two (2) or more provisions of this act.

SECTION 24. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 25. The provisions of this act shall only be applied in a manner consistent with applicable federal law.

SECTION 26. For purposes of promulgating rules and creating and publishing forms this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2008, the public welfare requiring it.